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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,243	02/07/2002	Hiroyasu Nishiyama	520.41151X00	6572

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EXAMINER

MCLEAN MAYO, KIMBERLY N

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 09/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

PR

Office Action Summary	Application No.	Applicant(s)	
	10/067,243	NISHIYAMA, HIROYASU	
	Examiner	Art Unit	
	Kimberly N. McLean-Mayo	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 7 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The enclosed detailed action is in response to the Application submitted on February 7, 2002.

Drawings

2. Figure 3A-3C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Santhanam (USPN: 5,704,053).

Regarding claim 1 and 4, Santhanam discloses a data prefetch method for generating a prefetch instruction for indirect reference in correspondence with a cache line when values of an indirect reference array used as indices for a program of making indirect reference to an array increase or decrease in accordance with a predetermined rule and a rate of increase or decrease is within a predetermined range, in a compiler of a programming language for generating an instruction to a

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microprocessor having a prefetch instruction (Figures 8-12; C 4, L 36-38; C 11, L 16-67; C 12 – C 22; C 23, L 1-25).

Regarding claim 2, Santhanam discloses determining the increase or decrease in the values of the array of indirect reference used as the indices by analyzing a directive described in the source code (C 11, L 49-58 - address expressions associated with the memory references).

Regarding claim 3, Santhanam discloses determining the increase or decrease in the values of the array of indirect reference used as the indices by analyzing an option designated to the compiler (loop body analysis option – Figure 10).

Regarding claim 4, Santhanam discloses determining the increase or decrease in the values of the array of indirect reference used as the indices by analyzing an expression of defining an element of the index array (C 11, L 16-49 – BIV).

Regarding claims 6-7, Santhanam discloses a compiler for compiling a program executed on a computer having a prefetch instruction for transferring data from a main memory to a cache memory in parallel with execution of another instruction comprising a process of translating a source program in a loop into an intermediate language (C 4, L 46-49); a process of recognizing a loop structure of the loop on the basis of the intermediate language obtained by translation and generating a second intermediate language [low level intermediate code representation] and a loop table [loop unrolling] (C 4, L 49-53; C 9, L 48-58; C 10, L 23-27, L 49-51); a process of

analyzing the loop with reference to the generated second intermediate language and loop table, recognizing indirect references in the loop and generating a third intermediate language [expressions generated in the loop body analysis] (loop body analysis; C 11, L 6-67; C 12, L 1-46); a process of generating a prefetch instruction on the recognized indirect reference by referring to the generated third intermediate language and the loop table (Figure 9, References 93-97).

Allowable Subject Matter

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

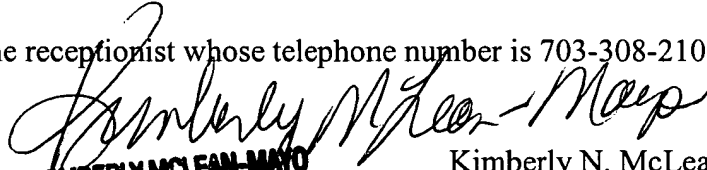
Damron – USPN: 6,597,975 – prefetching and indirect references.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M-F (9:00 - 6:30) First Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.


KIMBERLY MCLEAN-MAYO
PRIMARY EXAMINER

Kimberly N. McLean-Mayo
Examiner
Art Unit 2187

KNM

August 30, 2003